

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LEINANI DESLANDES, on behalf of herself
and all others similarly situated,

Plaintiff

v.

McDONALD'S USA, LLC, *et al.*

Defendants.

Civil Case No. 17-cv-04857

Judge Jorge L. Alonso

Magistrate Judge M. David Weisman

STEPHANIE TURNER, on behalf of herself
and all others similarly situated,

Plaintiff,

v.

McDONALD'S USA, LLC, *et al.*

Defendants.

Civil Case No. 19-cv-05524

JOINT STATUS REPORT

Pursuant to the Court's November 7, 2024 Minute Order, Dkt. 515 ("Order"), Plaintiffs Leinani Deslandes and Stephanie Turner ("Plaintiffs") and Defendants McDonald's USA, LLC and McDonald's Corporation ("McDonald's") respectfully submit this Joint Status Report in advance of the December 19, 2024 status conference.

I. Status of Saba Third-Party Discovery

Since the last status report, Cornerstone OnDemand, Inc., the company that owns Saba, made a production of 7.85 GB of data, which Plaintiffs then reproduced to McDonald's. Plaintiffs and their experts have been reviewing and analyzing the data. Plaintiffs are developing a list of questions about the data, which they intend to send Cornerstone OnDemand, Inc. in short order.

II. Status of Franchisee Declarant Discovery

The franchisees made document productions on November 15, November 22, November 27, and December 5. In total, the franchisees have produced 4,028 documents, totaling 14,532 pages, and anticipate producing more documents. Plaintiffs are reviewing the productions.

Counsel for Plaintiffs and the franchisees met and conferred on November 26, 2024 about search terms and certain of the franchisees' objections and responses to Plaintiffs' subpoenas. Plaintiffs sent the franchisees follow-up correspondence on December 4, 2024 and await their response. Until Plaintiffs receive the franchisees' response, they do not know whether motion practice will be necessary.

As the Court is aware, the franchisees moved unopposed for an extension of time to complete their production of documents to December 20, 2024 with a corresponding two-week extension on Plaintiffs' motion to compel, if any, Dkt. 516, and the Court granted their motion, Dkt. 517.

III. Depositions

A. McDonald's Witnesses

Plaintiffs will take the deposition of Nicole Tracy, McDonald's primary document custodian for its July 3, 2024 production, on January 22, 2025 and the deposition of John

Richardson, in-house counsel for McDonald's who verified McDonald's Supplemental Interrogatory Responses, on January 24, 2025. Plaintiffs also noticed a 30(b)(6) deposition on various topics that the parties then negotiated and reached agreement on.

Regarding the 30(b)(6) deposition, McDonald's intends to designate Mr. Richardson as its corporate representative for most or all of the 30(b)(6) topics. It may designate Ms. Tracy for a very limited number of topics. Pending McDonald's confirmation of which witness will be designated on which topics, which McDonald's expects to confirm by the end of this week, the parties have agreed that Plaintiffs will depose Ms. Tracy in her capacity as a percipient fact witness and as a 30(b)(6) deponent, if applicable, on January 22, 2025; and Plaintiffs will depose Mr. Richardson in his capacity as a corporate representative designated for the 30(b)(6) deposition and as the verifier of McDonald's Supplemental Interrogatory Responses on January 24, 2025. McDonald's does not object to providing Plaintiffs with a reasonable amount of additional time beyond seven hours for each of these two witnesses if, contrary to the parties' expectation, seven hours should prove insufficient.

B. Franchisees

Plaintiffs intend to depose the franchisees in early February 2025, assuming document productions are substantially complete by December 20, 2024 and no substantial motion practice is necessary.

IV. McDonald's Document Production

On December 6, 2024, McDonald's completed its production of the business review reports upon which the Parties agreed, i.e., the business review reports dated 2013 through present from a random sample of fifty operators (five operators from each of the ten field office regions).

Plaintiffs anticipate sending McDonald's an email this week regarding specific documents for which copies from certain years appear to be missing.

V. Discovery Schedule

The parties' jointly-proposed schedule is below:

Deadline	Previous Schedule	Parties' Proposal
Deadline to complete fact discovery	October 31, 2024	February 21, 2025
Deadline to serve supplemental expert reports on issues for which party bears the burden of proof (if any)	November 14, 2024	March 28, 2025
Deadline to serve rebuttal expert reports	December 29, 2024	May 23, 2025
Expert discovery closes	January 28, 2025	June 20, 2025
Deadline for Defendants to file motion regarding ancillary restraint defense	February 27, 2025	July 18, 2025
Deadline for Plaintiffs to file response to motion regarding ancillary restraint defense and cross-motion regarding ancillary restraint defense, if any; and deadline for Plaintiffs to file renewed motion for class certification	April 13, 2025	September 12, 2025
Deadline for Defendants to file reply in support of their motion regarding ancillary restraint defense and response to Plaintiffs' cross-motion regarding ancillary restraint defense, if any; and deadline for Defendants to file response to Plaintiffs' renewed motion for class certification	May 28, 2025	November 6, 2025
Deadline for Plaintiffs to file reply in support of renewed motion for class certification; and reply in support of cross-motion regarding ancillary restraint defense, if any	June 18, 2025	December 8, 2025

VI. Disputes

The parties have no disputes at this time. Because there are no current disputes or pending issues before the Court—besides the adoption of a further scheduling order—the parties are unopposed to the cancellation of the December 19, 2024 status conference should the Court deem it unnecessary. If the Court proceeds with the December 19 status conference, both parties intend to appear telephonically with the Court's permission.

Dated: December 16, 2024

/s/ Dean M. Harvey

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CERTIFICATE OF SERVICE

I, Dean M. Harvey, an attorney, hereby certify that the parties' **Joint Status Report** was electronically filed on December 16, 2024 and will be served electronically via the Court's ECF Notice system upon the registered parties of record.

/s/ Dean M. Harvey